

Elizabeth Rogers

From: Elson, David [delson@manatt.com]
Sent: Tuesday, December 14, 2004 10:52 AM
To: Paul Loh; Kristy Carroll
Cc: Elizabeth Rogers
Subject: RE: Premio/LAUSD - documents

Kristy and Paul: I have forwarded Paul's email to the District and hope to be able to get back to you in the near future.

-----Original Message-----

From: Paul Loh [mailto:PaulLoh@willenken.com]
Sent: Tuesday, December 14, 2004 10:48 AM
To: Kristy Carroll
Cc: Elizabeth Rogers; Elson, David
Subject: Premio/LAUSD - documents

Dear Kristy:

Attached are the documents referenced in my e-mail of yesterday: PC002883 - PC002889, and PC007645 - PC007647.

Thanks,

Paul.

Paul J. Loh, Esq.

WILLENKEN WILSON LOH & STRIS LLP

725 South Figueroa Street, Suite 1690

Los Angeles, California 90017 U.S.A.

(DIRECT TEL) (213) 955-8030

(MAIN TEL) (213) 955-9240

(FAX) (213) 955-9250

paulloh@willenken.com

www.willenken.com

Elizabeth Rogers

From: Kristy Carroll [kcarroll@universalservice.org]
Sent: Friday, January 14, 2005 2:40 PM
To: Elizabeth Rogers
Cc: Paul Loh
Subject: RE: Premio/LAUSD--Urgent Status Request

Elizabeth --

I just left a message for you. I'm available now to talk. I'll be working until about 6 east coast time.

Otherwise, we can talk Tuesday at 9:30 or 10 east coast time -- whichever is best for you.

Kristy

Kristy L. Carroll
Associate General Counsel
USAC
2000 L Street NW
Suite 200
Washington, DC 20036
202.263.1603
www.universalservice.org

From: Elizabeth Rogers [mailto:ElizabethRogers@willenken.com]
Sent: Friday, January 14, 2005 4:49 PM
To: Kristy Carroll
Cc: Paul Loh
Subject: RE: Premio/LAUSD--Urgent Status Request

Hi Kristy:

Thanks for your message. I left you a voice mail in addition to this e-mail-would it be possible for you to please call me today? Our court appearance is Tuesday morning at 8:30 a.m. Pacific (11:30 Eastern).

If you are unavailable today, would it be possible for us to talk on Tuesday morning before the hearing? I can call you anytime that morning. Please let me know if 9:30 or 10:00 a.m. Eastern time (6:30 or 7:00 Pacific) would work for you.

Thanks much,
Liz

From: Kristy Carroll [mailto:kcarroll@universalservice.org]
Sent: Friday, January 14, 2005 1:14 PM
To: Elizabeth Rogers
Cc: Paul Loh
Subject: RE: Premio/LAUSD--Urgent Status Request

Elizabeth --

I am waiting for some information that I expected to have by 4:30 today so that I can provide you with more complete answers to your questions. Now it looks like I won't have that information by 4:30. Our offices are closed on Monday, and so let's schedule to meet on Tuesday. What time is good for you?

Kristy

From: Elizabeth Rogers [mailto:ElizabethRogers@willenken.com]
Sent: Friday, January 14, 2005 2:20 PM
To: Kristy Carroll
Cc: Paul Loh
Subject: RE: Premio/LAUSD--Urgent Status Request

Hi Kristy, please call me. Thanks much,

Liz

From: Kristy Carroll [mailto:kcarroll@universalservice.org]
Sent: Friday, January 14, 2005 11:13 AM
To: Elizabeth Rogers
Cc: Paul Loh
Subject: RE: Premio/LAUSD--Urgent Status Request

Elizabeth and Paul --

I won't be able to follow up with you until later this afternoon -- after 4:30 east coast time. Do you have a preference between the two of you of who I should call?

--Kristy

Kristy L. Carroll
Associate General Counsel
USAC
2000 L Street NW
Suite 200
Washington, DC 20036
202.263.1603
www.universalservice.org

From: Elizabeth Rogers [mailto:ElizabethRogers@willenken.com]
Sent: Thursday, January 13, 2005 9:50 PM
To: Kristy Carroll
Cc: Paul Loh
Subject: Premio/LAUSD--Urgent Status Request
Importance: High

Dear Kristy:

I'm writing to follow up on the voice mail Paul left you yesterday inquiring about the status of your inquiry into the year-2 carryover machines in Premio's E-Rate contract with LAUSD, FRNs 238460 and

238465. Last month we provided you with some documentation, but we are not sure what the status is. As you know, there is a civil lawsuit pending between Premio and LAUSD regarding this contract, and the parties are awaiting your response before they can decide how to proceed in that litigation (or resolve it).

We recently learned that you may actually be waiting on information from us about the status of the civil suit pending between them. There is a status conference in the case next week. Although we have requested extensions from the court pending your inquiry, the judge has indicated that she is unlikely to grant additional extensions. Consequently, we are under acute time pressure to ascertain the results of your inquiry, and would appreciate it if you would get back to us as soon as possible about where things stand.

If you are waiting on any other information we can provide, please let us know so we can work on getting it to you right away.

In addition to e-mail, you can reach Paul at: (213) 955-8030, or me at (213) 955-8024. Thank you very much for your time and assistance with this matter.

Regards,
Liz Rogers

Elizabeth I. Rogers, Esq.
WILLENKEN WILSON LOH & STRIS LLP
725 South Figueroa Street, Suite 1690
Los Angeles, California 90017 U.S.A.
(DIRECT TEL) (213) 955-8024
(MAIN TEL) (213) 955-9240
(FAX) (213) 955-9250
elizabethrogers@willenken.com
www.willenken.com

Elizabeth Rogers

From: Kristy Carroll [kcarroll@universalservice.org]
Sent: Friday, January 14, 2005 3:14 PM
To: 'Elson, David'; Paul Loh
Cc: Elizabeth Rogers
Subject: RE: Premio/LAUSD - documents

David --

I just spoke with Elizabeth to provide her with an update of the status of this issue. When do you think that you will be responding to Premio's information?

Thank you.

Kristy

-----Original Message-----

From: Elson, David [mailto:delson@manatt.com]
Sent: Tuesday, December 14, 2004 1:52 PM
To: Paul Loh; Kristy Carroll
Cc: Elizabeth Rogers
Subject: RE: Premio/LAUSD - documents

Kristy and Paul: I have forwarded Paul's email to the District and hope to be able to get back to you in the near future.

-----Original Message-----

From: Paul Loh [mailto:PaulLoh@willenken.com]
Sent: Tuesday, December 14, 2004 10:48 AM
To: Kristy Carroll
Cc: Elizabeth Rogers; Elson, David
Subject: Premio/LAUSD - documents

Dear Kristy:

Attached are the documents referenced in my e-mail of yesterday: PC002883 - PC002889, and PC007645 - PC007647.

Thanks,

Paul.

Paul J. Loh, Esq.

WILLENKEN WILSON LOH & STRIS LLP

725 South Figueroa Street, Suite 1690

Los Angeles, California 90017 U.S.A.

(DIRECT TEL) (213) 955-8030

(MAIN TEL) (213) 955-9240

(FAX) (213) 955-9250

paulloh@willenken.com

www.willenken.com

From: Elson, David [mailto:DElson@manatt.com]
Sent: Wednesday, April 13, 2005 10:58 AM
To: Kristy Carroll
Cc: Paul Loh; Rick Deeb
Subject: LA Unified School District/Premio Computers

I apologize for taking longer than we all would have liked to get back to you. Paul Loh, Rick Deeb and I alternatively have been out of pocket for several weeks recently, and Paul and I had spent some time earlier trying to find an approach that could get this resolved from everyone's perspective. Paul is still out of pocket, but suggested that I email you the District's proposal, which I believe would be acceptable to Paul.

Initially, after reviewing the documentation from Premio, we do not dispute that the first 30 computer/servers were delivered and put to use by the District, as Paul indicated in his last email. As you know, the dispute over whether the remaining 90 computers/servers were satisfactory arose after the first 30 were delivered. The District and Premio worked out a proposed settlement to resolve their differences, but the settlement hung up because the SLD was not willing to release the approximately \$700,000 - \$800,000 owed as the SLD's share of the cost of a later group of 58 computers/servers which originally had been a subject of the lawsuit, but which the District confirmed it had accepted and put to use and confirmed to the SLD were acceptable.

The District proposes to accept the remaining 90 computers/servers and will put them to use as appropriate, taking into account the fact that they are a few years old at this point. With that understanding, if the SLD is willing to pay Premio the remaining \$700,000 - \$800,000 it is withholding, that should put an end to the litigation between the District and Premio.

Obviously this will need to be properly documented, but Paul and I wanted to get your input as soon as we could. I would be happy to answer any questions you may have.

Elizabeth Rogers

From: Paul Loh
Sent: Thursday, October 06, 2005 5:01 PM
To: Elizabeth Rogers
Subject: FW: LA Unified School District/Premio Computers

Paul J. Loh, Esq.
WILLENKEN WILSON LOH & STRIS LLP
725 South Figueroa Street, Suite 1690
Los Angeles, California 90017 U.S.A.
(DIRECT TEL) (213) 955-8030
(MAIN TEL) (213) 955-9240
(FAX) (213) 955-9250
paulloh@willenken.com
www.willenken.com

From: Kristy Carroll [mailto:kcarroll@universalservice.org]
Sent: Monday, July 11, 2005 10:22 AM
To: Paul Loh
Subject: RE: LA Unified School District/Premio Computers

Paul –

We are poised to make the decision, but we need the contract, and we do not have it in our records. Do you think that you could look for it?

Thanks.

Kristy

–Kristy Carroll
USAC
Associate General Counsel
(202) 263-1603

From: Paul Loh [mailto:PaulLoh@willenken.com]
Sent: Monday, July 11, 2005 12:55 PM
To: Kristy Carroll
Subject: RE: LA Unified School District/Premio Computers

Kristy:

I tried to look for it this weekend myself, but was unsuccessful. Will this impact your ability to decide, say, by end of this week? I ask because we are due back in court on 7/18, so the judge will want to have a status report from the parties.

If you absolutely need this contract to make a decision by then, let me know, and I will assign others in my office to try to dig it up.

Thanks,

Paul.

Paul J. Loh, Esq.
WILLENKEN WILSON LOH & STRIS LLP
725 South Figueroa Street, Suite 1690
Los Angeles, California 90017 U.S.A.
(DIRECT TEL) (213) 955-8030
(MAIN TEL) (213) 955-9240
(FAX) (213) 955-9250
paulloh@willenken.com
www.willenken.com

From: Kristy Carroll [mailto:kcarroll@universalservice.org]
Sent: Friday, July 01, 2005 10:36 AM
To: Paul Loh
Subject: RE: LA Unified School District/Premio Computers

Paul –

Sorry for the delay on getting back to you. We are expecting to have a final decision in about 2 weeks. One piece of documentation that we do not have is the original contract associated with this FRN. Would it be possible for you to provide a copy of it?

Thank you, and please let me know if you have any questions.

–Kristy Carroll
USAC
Associate General Counsel
(202) 263-1603

From: Paul Loh [mailto:PaulLoh@willenken.com]
Sent: Thursday, June 16, 2005 4:38 AM
To: Kristy Carroll
Subject: RE: LA Unified School District/Premio Computers

Kristy:

I know it's not quite 60 days yet. But I was just wondering if you had any kind of status you can report, or any more specific time estimation on when your decision may come down.

Thanks,

Paul.

Paul J. Loh, Esq.
WILLENKEN WILSON LOH & STRIS LLP
725 South Figueroa Street, Suite 1690
Los Angeles, California 90017 U.S.A.
(DIRECT TEL) (213) 955-8030
(MAIN TEL) (213) 955-9240
(FAX) (213) 955-9250
paulloh@willenken.com

www.willenken.com

From: Kristy Carroll [mailto:kcarroll@universalservice.org]
Sent: Friday, April 15, 2005 3:36 PM
To: richard.deeb@lausd.net
Cc: Paul Loh; Rick Deeb; 'paulloh@aol.com'
Subject: RE: LA Unified School District/Premio Computers

David --

Thank you for you e-mail.

Paul asked about how long our inquiry into whether we will need to seek recovery for the funds that we disbursed related to this issue will take. We are hoping to conclude our inquiry within 60 days. We will expedite this to the extent possible, but please keep in mind that we cannot be sure that we can resolve the issue within 60 days.

I will contact you as soon as I have additional information. Feel free to contact me if you have any questions in the meantime.

--Kristy

Kristy L. Carroll
Associate General Counsel
USAC
2000 L Street NW
Suite 200
Washington, DC 20036
202.263.1603
www.universalservice.org

From: Elson, David [mailto:DElson@manatt.com]
Sent: Wednesday, April 13, 2005 1:58 PM
To: Kristy Carroll
Cc: Paul Loh; Rick Deeb
Subject: LA Unified School District/Premio Computers

I apologize for taking longer than we all would have liked to get back to you. Paul Loh, Rick Deeb and I alternatively have been out of pocket for several weeks recently, and Paul and I had spent some time earlier trying to find an approach that could get this resolved from everyone's perspective. Paul is still out of pocket, but suggested that I email you the District's proposal, which I believe would be acceptable to Paul.

Initially, after reviewing the documentation from Premio, we do not dispute that the first 30 computer/servers were delivered and put to use by the District, as Paul indicated in his last email. As you know, the dispute over whether the remaining 90 computers/servers were satisfactory arose after the first 30 were delivered. The District and Premio worked out a proposed settlement to resolve their differences, but the settlement hung up because the SLD was not willing to release the approximately \$700,000 - \$800,000 owed as the SLD's share of the cost of a later group of 58 computers/servers which originally had been a subject of the lawsuit, but which the District confirmed it had accepted and put to use and confirmed to the SLD were acceptable.

The District proposes to accept the remaining 90 computers/servers and will put them to use as appropriate, taking into account the fact that they are a few years old at this point. With that understanding, if the SLD is willing to pay Premio the remaining \$700,000 - \$800,000 it is withholding, that should put an end to the litigation.

between the District and Premio.

Obviously this will need to be properly documented, but Paul and I wanted to get your input as soon as we could. I would be happy to answer any questions you may have.